

Express Mail No: EV 562714748 US

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IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE

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Application Number:

Filed:

Applicants:

Doug Sweet, Marc Key, Gordon Feingold, Kristopher Buchanan, Bob  
Lathrop, John Favuzzi

Title:

A Method and Apparatus for Automatic Staining of Tissue Samples

International Application No: PCT/US2003/040518, Filed 19 December 2003

Original US Applications: 60/435,601, Filed 20 December 2002

TC/A.U:

Examiner:

Assignee:

DakoCytomation Denmark A/S

Attorney Docket:

P131 US 01

Customer No.

33549

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POWER OF ATTORNEY

I, Kim Adelhorst, Director Technology & Corporate Patents, DakoCytomation Denmark A/S, hereby appoint the practitioners associated with Customer Number 33549 (Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, CO 80521), as DakoCytomation Denmark A/S's attorneys to prosecute this application entitled "A Method and Apparatus for Automatic Staining of Tissue Samples" and to transact all business in the Patent Office connected therewith. The undersigned grants the firm of Santangelo Law Offices, P.C., the power to insert on any document filed in this matter any further identification which may be necessary or desirable in order to indicate filing information or to comply with the rules of the United States Patent Office or any foreign patent office for recordation of this document, including, but not limited to, inserting the application number, the execution date, mailing information, or the filing date of the above-identified United States Patent Application based upon the invention. The undersigned also acknowledges that the attorneys appointed are attorneys for the assignee, DakoCytomation Denmark A/S, only.

Dated this 14 day of June, 2005.

By:

Kim Adelhorst, Director Technology &  
Corporate Patents  
DakoCytomation Denmark A/S

Attorney Docket: P131 WO 01

IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE  
PCT BRANCH

In Re the Application of:	DakoCytomation Denmark A/S
Inventors:	Doug Sweet, Marc Key, Gordon Feingold, Kristopher Buchanan, Bob Lathrop, John Favuzzi
International Application Number:	PCT/US2003/040518, Filed
International Filing Date:	19 December 2003
Title:	A Method and Apparatus for Automatic Staining of Tissue Samples
Receiving Office:	RO/US

## DECLARATION FOR PATENT APPLICATION

This Declaration is made by Doug Sweet, Marc Key, Gordon Feingold, Kristopher Buchanan, Bob Lathrop, and John Favuzzi

I, Doug Sweet, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is 117 Cannon Drive, Santa Barbara, CA 93105 USA.

I, Marc Key, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is 290 Saddle Lane, Ojai, CA 93023 USA.

I, Gordon Feingold, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is 5242 Austin Road, Santa Barbara, California 93111, USA.

I, Kristopher Buchanan, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is 4300 Shadowbrook Court, Fort Collins, CO 80526 USA.

I, Bob Lathrop, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is 1667 Glenrock Court, San Jose, CA 95124 USA.

I, John Favuzzi, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is 5086 San Bernardo Place, Santa Barbara, CA 93111 USA.

We, Doug Sweet, Marc Key, Gordon Feingold, Kristopher Buchanan, Bob Lathrop, John Favuzzi, each hereby declare we are the original, first, and joint inventors of the subject matter which is claimed, described and for which a patent is sought on the invention now entitled "A Method and Apparatus for Automatic Staining of Tissue Samples" the specification of which has been provided to us at or prior to the time of signing this declaration. We have reviewed and understand the contents of this specification as above entitled, including any claims.

We also believe that we are the original, first, and joint inventors of the subject matter:

- United States Application Number 60/435,601 filed 20 December 2002 (the "Original US Application").


We hereby claim the benefit under Title 35, United States Code §119 of US Provisional Application 60/435,601 filed 20 December 2002; there are no foreign applications having a filing date before that of the application on which priority is claimed.

We hereby declare that the specification and disclosure herein submitted are intended to include disclosure or claims directed to, individually or in combination: embodiments of the invention which may encompass a device, apparatus, method, process, or business method; embodiments of the invention which may encompass permutations or combinations of any aspects of the invention; any aspect of the invention conceived or developed as separate inventions; and any aspect of the invention independent of any initial context considered as preferred embodiments. We also authorize and support this application for patent protection in the United States, and for similar protection in foreign countries, each to be sought to the extent or breadth any owner desires or deems appropriate. We acknowledge that each of the attorneys and the firm filing this application is/are attorneys for the assignee, DakoCytomation Denmark A/S, only.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby grant the firm of Santangelo Law Offices, P.C., the power to insert on this Declaration or any other document any further identification which may be necessary or desirable in order to indicate filing information or to comply with the rules of the United States Patent Office or any foreign patent office for recordation of this document, including, but not limited to, inserting the application number, the execution date, mailing information, or the filing date of the above-identified United States Patent Application based upon the Invention.

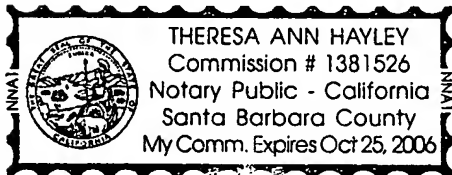
  
\_\_\_\_\_  
Doug Sweet

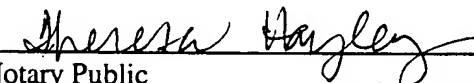
Date: Dec. 19, 2003

UNITED STATES OF AMERICA )  
STATE OF CALIFORNIA )ss.  
COUNTY OF Santa Barbara )

SUBSCRIBED AND SWORN to before me in the County of Santa Barbara, State of California, United States of America, by Doug Sweet, this 19 day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.



  
\_\_\_\_\_  
Notary Public  
My Commission Expires: Oct 25, 2006

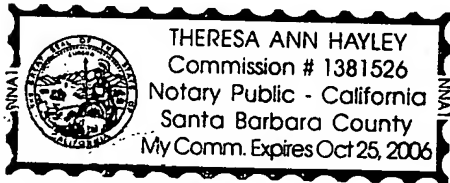
Marc Key  
Marc Key

Date: 12/19/03

UNITED STATES OF AMERICA )  
STATE OF CALIFORNIA )ss.  
COUNTY OF Santa Barbara )

SUBSCRIBED AND SWORN to before me in the County of Santa Barbara  
State of California, United States of America, by Marc Key, this 19 day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary  
Public by the State of California.



Theresa Hayley  
Notary Public  
My Commission Expires: Oct. 25, 2006

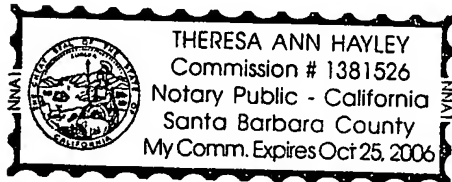
Gordon Feingold  
Gordon Feingold

Date: 12/19/2003

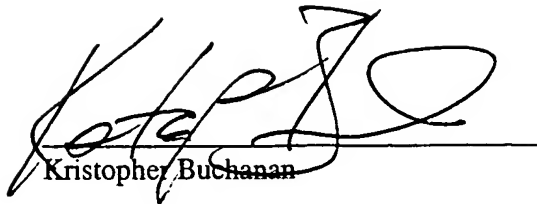
UNITED STATES OF AMERICA )  
STATE OF CALIFORNIA )ss.  
COUNTY OF Santa Barbara

SUBSCRIBED AND SWORN to before me in the County of Santa Barbara  
State of California, United States of America, by Gordon Feingold, this 19 day of December,  
2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary  
Public by the State of California.



Theresa Ann Hayley  
Notary Public  
My Commission Expires: Oct. 25, 2006

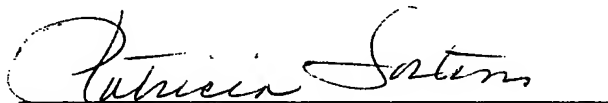
  
Kristopher Buchanan

Date: 19 Dec '03

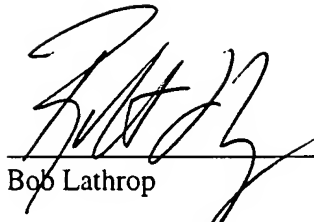
UNITED STATES OF AMERICA   )  
STATE OF COLORADO           )ss.  
COUNTY OF LARIMER       )

SUBSCRIBED AND SWORN to before me in the County of LARIMER,  
State of Colorado, United States of America, by Kristopher Buchanan, this 19<sup>th</sup> day of  
December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary  
Public by the State of Colorado.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: March 11, 2006

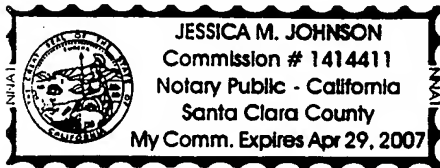
  
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Bob Lathrop

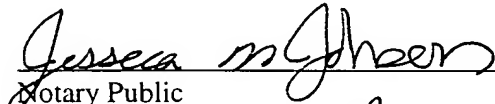
Date: 12.19.2003

UNITED STATES OF AMERICA   )  
STATE OF CALIFORNIA        )ss.  
COUNTY OF Santa Clara )

SUBSCRIBED AND SWORN to before me in the County of Santa Clara  
State of California, United States of America, by Bob Lathrop, this 19<sup>th</sup> day of December,  
2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary  
Public by the State of California.



  
\_\_\_\_\_  
Notary Public  
My Commission Expires: April 29 2007



  
John Favuzzi

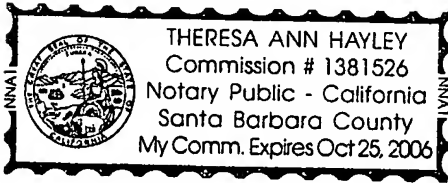
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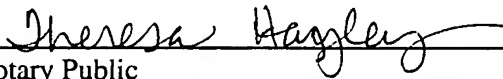
19 Dec 2003

UNITED STATES OF AMERICA )  
STATE OF CALIFORNIA )ss.  
COUNTY OF Santa Barbara

SUBSCRIBED AND SWORN to before me in the County of Santa Barbara  
State of California, United States of America, by John Favuzzi, this 19 day of December,  
2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary  
Public by the State of California.



  
Notary Public

My Commission Expires: Oct. 25, 2006